General Assembly

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Sixty-second session
Agenda item 48

Resolution adopted by the General Assembly

[*without reference to a Main Committee (A/62/L.15 and Add.1)*]

62/10. World Day of Social Justice

The General Assembly,

Recalling the World Summit for Social Development, held at Copenhagen from 6 to 12 March 1995, and the twenty-fourth special session of the General Assembly, entitled "World Summit for Social Development and beyond: achieving social development for all in a globalizing world", held at Geneva from 26 June to 1 July 2000,

Reaffirming that the Copenhagen Declaration on Social Development and the Programme of Action[1] and the further initiatives for social development adopted by the General Assembly at its twenty-fourth special session[2] constitute the basic framework for the promotion of social development for all at the national and international levels,

Recalling the commitment to promote national and global economic systems based on the principles of justice, equity, democracy, participation, transparency, accountability and inclusion,

Reaffirming the commitment made in the 2005 World Summit Outcome to full and productive employment and decent work for all, including for women and young people, as a central objective of relevant national and international policies as well as national development strategies, including poverty reduction strategies, as part of the efforts to achieve the Millennium Development Goals,[3]

1. *Recognizes* that social development and social justice are indispensable for the achievement and maintenance of peace and security within and among nations and that, in turn, social development and social justice cannot be attained in the absence of peace and security or in the absence of respect for all human rights and fundamental freedoms;

[1] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[2] Resolution S-24/2, annex.

[3] See resolution 60/1, para. 47.

2. *Also recognizes* that broad-based and sustained economic growth in the context of sustainable development is necessary to sustain social development and social justice;

3. *Further recognizes* that globalization and interdependence are opening new opportunities through trade, investment and capital flows and advances in technology, including information technology, for the growth of the world economy and the development and improvement of living standards around the world, while at the same time there remain serious challenges, including serious financial crises, insecurity, poverty, exclusion and inequality within and among societies and considerable obstacles to further integration and full participation in the global economy for developing countries as well as some countries with economies in transition;

4. *Recognizes* the need to consolidate further the efforts of the international community in poverty eradication and in promoting full employment and decent work, gender equality and access to social well-being and justice for all;

5. *Decides* to declare that, starting from the sixty-third session of the General Assembly, 20 February will be celebrated annually as the World Day of Social Justice;

6. *Invites* all Member States to devote this special day to the promotion, at the national level, of concrete activities in accordance with the objectives and goals of the World Summit for Social Development and the twenty-fourth special session of the General Assembly.

57th plenary meeting
26 November 2007

General Assembly

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Agenda item 13

Resolution adopted by the General Assembly

[*without reference to a Main Committee (A/62/L.16 and Add.1)*]

62/11. The role of diamonds in fuelling conflict: breaking the link between the illicit transaction of rough diamonds and armed conflict as a contribution to prevention and settlement of conflicts

The General Assembly,

Recognizing that the trade in conflict diamonds continues to be a matter of serious international concern, which can be directly linked to the fuelling of armed conflict, the activities of rebel movements aimed at undermining or overthrowing legitimate Governments and the illicit traffic in and proliferation of armaments, especially small arms and light weapons,

Recognizing also the devastating impact of conflicts fuelled by the trade in conflict diamonds on the peace, safety and security of people in affected countries, and the systematic and gross human rights violations that have been perpetrated in such conflicts,

Noting the negative impact of such conflicts on regional stability and the obligations placed upon States by the Charter of the United Nations regarding the maintenance of international peace and security,

Recognizing, therefore, that continued action to curb the trade in conflict diamonds is imperative,

Recalling that the elimination of illicit diamonds from legitimate trade is the primary objective of the Kimberley Process,

Bearing in mind the positive benefits of the legitimate diamond trade to producing countries, and underlining the need for continued international action to prevent the problem of conflict diamonds from negatively affecting the trade in legitimate diamonds, which makes a critical contribution to the economies of many of the producing, exporting and importing States, especially developing States,

Noting that the vast majority of rough diamonds produced in the world are from legitimate sources,

Recalling the Charter and all the relevant resolutions of the Security Council related to conflict diamonds, and determined to contribute to and support the implementation of the measures provided for in those resolutions,

Recalling also Security Council resolution 1459 (2003) of 28 January 2003, in which the Council strongly supported the Kimberley Process Certification Scheme[1] as a valuable contribution against trafficking in conflict diamonds,

Welcoming the important contribution of the Kimberley Process, which was initiated by African diamond-producing countries,

Acknowledging that lessons learned from the Kimberley Process are useful for the work of the Peacebuilding Commission in its consideration of the countries included in its agenda, as appropriate,

Noting with satisfaction that the implementation of the Kimberley Process Certification Scheme continues to have a positive impact in reducing the opportunity for conflict diamonds to play a role in fuelling armed conflict and would help to protect legitimate trade and ensure the effective implementation of the relevant resolutions on trade in conflict diamonds,

Recalling its resolutions 55/56 of 1 December 2000, 56/263 of 13 March 2002, 57/302 of 15 April 2003, 58/290 of 14 April 2004, 59/144 of 15 December 2004, 60/182 of 20 December 2005 and 61/28 of 4 December 2006, in which it called for the development and implementation as well as a periodic review of proposals for a simple, effective and pragmatic international certification scheme for rough diamonds,

Welcoming, in this regard, the implementation of the Kimberley Process Certification Scheme in such a way as not to impede the legitimate trade in diamonds or impose an undue burden on Governments or industry, particularly smaller producers, nor hinder the development of the diamond industry,

Welcoming also the decision of forty-eight Kimberley Process Participants, representing seventy-four countries, including the twenty-seven members of the European Union represented by the European Commission, to address the problem of conflict diamonds by participating in the Process and implementing the Kimberley Process Certification Scheme,

Welcoming further the desire of the Kimberley Process to systematize the current rules and procedures and the subsequent development of new rules and procedural norms regulating the activity of its working bodies, Participants and observers,

Welcoming the successful consensual outcomes of the plenary meeting of the Kimberley Process hosted by the European Commission in Brussels from 5 to 8 November 2007,

Welcoming also the important contributions made and that continue to be made by civil society and the diamond industry, in particular the World Diamond Council which represents all aspects of the diamond industry, to assist international efforts to stop the trade in conflict diamonds,

Welcoming further the voluntary self-regulation initiatives for the diamond industry announced by the World Diamond Council, and recognizing that a system of such voluntary self-regulation contributes, as described in the Interlaken Declaration of 5 November 2002 on the Kimberley Process Certification Scheme for

[1] See A/57/489.

Rough Diamonds,[2] to ensuring the effectiveness of national systems of internal control for rough diamonds,

Noting in this regard the Declaration on internal controls in diamond trading and manufacturing centres, endorsed by the Brussels plenary meeting,

Noting with appreciation that the Kimberley Process has pursued its deliberations on an inclusive basis, involving concerned stakeholders, including producing, exporting and importing States, the diamond industry and civil society, as well as applicant States and international organizations,

Recognizing that State sovereignty should be fully respected and that the principles of equality, mutual benefits and consensus should be adhered to,

Recognizing also that the Kimberley Process Certification Scheme, which came into effect on 1 January 2003, will be credible only if all Participants have requisite national legislation coupled with effective and credible internal systems of control designed to eliminate the presence of conflict diamonds in the chain of producing, exporting and importing rough diamonds within their own territories, while taking into account that differences in production methods and trading practices, as well as differences in institutional controls thereof, may require different approaches to meeting minimum standards,

1. *Reaffirms its strong and continuing support* for the Kimberley Process Certification Scheme[1] and the Kimberley Process as a whole;

2. *Recognizes* that the Kimberley Process Certification Scheme can help to ensure the effective implementation of relevant resolutions of the Security Council containing sanctions on the trade in conflict diamonds and act as a mechanism for the prevention of future conflicts, and calls for the full implementation of existing Council measures targeting the illicit trade in rough diamonds, particularly conflict diamonds which play a role in fuelling conflict;

3. *Also recognizes* the important contributions that the international efforts to address the problem of conflict diamonds, including the Kimberley Process Certification Scheme, have made to the settlement of conflicts and the consolidation of peace in Angola, the Democratic Republic of the Congo, Liberia and Sierra Leone;

4. *Notes* the decision of the General Council of the World Trade Organization of 15 May 2003 granting a waiver with respect to the measures taken to implement the Kimberley Process Certification Scheme, effective from 1 January 2003 to 31 December 2006,[3] and the decision of the General Council of 17 November 2006 granting an extension of the waiver until 31 December 2012;[4]

5. *Takes note with appreciation* of the report of the Chair of the Kimberley Process submitted pursuant to resolution 61/28,[5] and congratulates the participating Governments, the regional economic integration organization, the diamond industry and civil society organizations involved in the Process for contributing to the development, implementation and monitoring of the Kimberley Process Certification Scheme, and recognizes, in particular, the progress made by Kimberley

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[2] Ibid., annex 2.

[3] World Trade Organization, document WT/L/518. Available from http://docsonline.wto.org.

[4] World Trade Organization, document G/C/W/559/Rev.1. Available from http://docsonline.wto.org.

[5] A/62/543, annex, and A/62/543/Add.1.

Process working groups, Participants and observers during 2007 in fulfilling the objectives set by the Chair to strengthen implementation of the peer review system, increase the transparency and accuracy of statistics, promote research into the traceability of diamonds, promote inclusiveness by broadening the level of involvement by both Governments and civil society in the Certification Scheme, foster a sense of ownership by Participants, improve information and communication flows and enhance the capacity of the Certification Scheme to respond to emerging challenges;

6. *Stresses* that the widest possible participation in the Kimberley Process Certification Scheme is essential, and encourages all Member States to contribute to the work of the Kimberley Process by seeking membership, participating actively in the Certification Scheme and complying with its undertakings;

7. *Welcomes* the admission in 2007 of Liberia, Turkey and the Congo, and recognizes the increased involvement of civil society organizations, in particular those from producer countries, in the Kimberley Process;

8. *Also welcomes* the initiative announced in Brussels to address the issue of rough diamonds from Côte d'Ivoire by engaging all relevant stakeholders, including Côte d'Ivoire, to enhance the control and monitoring of the trade in rough diamonds in their territories, enhancing regional cooperation to strengthen compliance with the Kimberley Process, and supporting applicant countries in the West Africa region in their efforts to join the Process as called for in Security Council resolution 1643 (2005) of 15 December 2005;

9. *Notes with appreciation* the cooperation of the Kimberley Process with the United Nations on the issue of diamonds from Côte d'Ivoire, including by assessing the volume of rough diamonds produced in and exported from Côte d'Ivoire as requested by Security Council resolution 1643 (2005), by sharing statistical data and other information with the Group of Experts on Côte d'Ivoire, and by taking action in line with paragraph 9 of resolution 61/28, in particular on the issues raised in reports of the Group of Experts, [6] calls for the full implementation of the resolution on the subject of illicit diamond production in Côte d'Ivoire adopted by the plenary meeting of the Process held in Moscow from 15 to 17 November 2005, and encourages continued cooperation between the Process and the United Nations in tackling this issue;

10. *Welcomes* the considerable efforts of Ghana in 2007 to enhance the credibility of its internal controls by monitoring exports, licensing miners and producing accurate diamond production data, all with assistance from the European Commission, South Africa, the United States of America and the World Diamond Council, by way of follow-up to the administrative decision on Ghana, adopted by the plenary meeting of the Kimberley Process, held in Gabarone from 6 to 9 November 2006, and notes the decision adopted by the Brussels plenary meeting in 2007 to introduce a risk-based approach to the monitoring of Ghana's rough diamond exports;

11. *Notes with satisfaction* that in line with paragraph 7 of its resolution 60/182 and paragraph 7 of its resolution 61/28, the preliminary development of "footprints", size-frequency distribution diagrams, that characterize diamond production from Côte d'Ivoire and Ghana has been undertaken, and encourages

[6] See S/2006/735 and S/2007/611.

expeditious commencement of further work to develop similar footprints for other diamond producers, while thanking the European Commission for hosting a workshop on traceability techniques to identify the origin of diamonds through optical, physical and chemical analysis and encouraging all Participants to support further efforts to place diamond identification techniques on a sound scientific basis;

12. *Welcomes* the Declaration on internal controls in diamond trading and manufacturing centres endorsed by the Brussels plenary meeting, and encourages all such centres to carry out effective enforcement measures as part of their internal controls to ensure adequate government oversight over the trade in rough diamonds;

13. *Notes with appreciation* the efforts of the Working Group of the Kimberley Process of Artisanal Alluvial Producers, under the leadership of Angola, to analyse internal controls and the challenges faced by each country with respect to its artisanal alluvial diamond production, and plans to spread best practices and improve community involvement through a programme of field visits;

14. *Welcomes* the strengthening of the South American subgroup of Artisanal Alluvial Producers, and its intention to meet to discuss regional cooperation on the challenges faced in controlling diamond production and trade, and also welcomes the invitation extended by Venezuela for a visit led by the Chair of the Kimberley Process to take place during the first quarter of 2008;

15. *Warmly welcomes* the admission of Liberia as a Participant in the Kimberley Process in May 2007, following three separate Kimberley Process expert missions to advise and assess its system for controlling diamonds, notes with appreciation the considerable support and technical assistance provided by the Kimberley Process community prior to the decision by the Security Council to lift diamond sanctions, and continues to encourage all those in a position to do so to assist Liberia with implementation of Kimberley Process standards;

16. *Notes with appreciation* the considerable progress made in carrying out the recommendations arising out of the three-year review of the Kimberley Process Certification Scheme adopted by the Gabarone plenary meeting in 2006, and notes that they should contribute to the strengthening and consolidation of the Process;

17. *Recognizes* that the peer review mechanism and the collection and submission of statistical data are critical monitoring tools, essential for effective implementation of the Kimberley Process Certification Scheme, and in this respect:

(*a*) Notes with satisfaction that virtually all Kimberley Process Participants, as well as several applicants, have received peer review visits, and that several countries and a regional economic integration organization have already invited a second review visit, and calls upon other Participants to invite further visits;

(*b*) Welcomes the strengthening of the peer review mechanism by the adoption of a revised administrative decision on peer review;

(*c*) Notes with satisfaction the publication of Kimberley Process trade and production data, welcomes the progress made towards the collection and submission of complete and accurate statistical reports on the production of and trade in rough diamonds, and encourages all of the Process Participants to continue to enhance the quality of data, and to respond promptly to Process analyses of these data;

18. *Notes with satisfaction* the systematization of the work of the Kimberley Process with respect to continuing to develop transparent and uniform rules and

procedures and introducing a mechanism for consultation and coordination in the Process;

19. *Notes with appreciation* the assistance and capacity-building efforts extended by various donors, and encourages other donors to provide financial and technical expertise to Kimberley Process Participants to help them to develop tighter monitoring and control measures;

20. *Acknowledges with great appreciation* the important contribution that the European Community, as Chair of the Kimberley Process in 2007, has made to the efforts to curb the trade in conflict diamonds, and welcomes the selection of India as Chair and Namibia as Vice-Chair of the Process for 2008;

21. *Requests* the Chair of the Kimberley Process to submit to the General Assembly at its sixty-third session a report on the implementation of the Process;

22. *Decides* to include in the provisional agenda of its sixty-third session the item entitled "The role of diamonds in fuelling conflict".

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Resolution adopted by the General Assembly

[*without reference to a Main Committee (A/62/L.13 and Add.1)*]

62/12. Report of the International Criminal Court

The General Assembly,

Recalling its resolution 61/15 of 20 November 2006 and all its previous relevant resolutions,

Recalling also that the Rome Statute of the International Criminal Court[1] reaffirms the purposes and principles of the Charter of the United Nations,

Reiterating the historic significance of the adoption of the Rome Statute, the tenth anniversary of which will be marked on 17 July 2008,

Emphasizing that justice, especially transitional justice in conflict and post-conflict societies, is a fundamental building block of sustainable peace,

Convinced that ending impunity is essential if a society in conflict or recovering from conflict is to come to terms with past abuses committed against civilians affected by armed conflict and to prevent future such abuses,

Noting with satisfaction the fact that the International Criminal Court has achieved considerable progress in its analyses, investigations and judicial proceedings in various situations and cases which were referred to it by States parties to the Rome Statute and by the Security Council, in accordance with the Rome Statute,

Recalling that effective and comprehensive cooperation and assistance in all aspects of its mandate by States, the United Nations and other international and regional organizations remains essential for the International Criminal Court to carry out its activities,

Expressing its appreciation to the Secretary-General for providing effective and efficient assistance to the International Criminal Court in accordance with the Relationship Agreement between the United Nations and the International Criminal Court ("Relationship Agreement"),[2]

Acknowledging the Relationship Agreement as approved by the General Assembly in its resolution 58/318 of 13 September 2004, including paragraph 3 of the resolution

[1] United Nations, *Treaty Series*, vol. 2187, No. 38544.

[2] See A/58/874 and Add.1.

with respect to the payment in full of expenses accruing to the United Nations as a result of the implementation of the Relationship Agreement,[3] which provides a framework for continued cooperation between the International Criminal Court and the United Nations, which could include the facilitation by the United Nations of the Court's field activities, and encouraging the conclusion of supplementary arrangements and agreements, as necessary,

Welcoming the continuous support given by civil society to the International Criminal Court,

Recognizing the role of the International Criminal Court in a multilateral system that aims to end impunity, establish the rule of law, promote and encourage respect for human rights and achieve sustainable peace, in accordance with international law and the purposes and principles of the Charter,

Expressing its appreciation to the International Criminal Court for providing assistance to the Special Court for Sierra Leone,

1. *Welcomes* the report of the International Criminal Court for 2006–2007;[4]

2. *Welcomes* the States that have become parties to the Rome Statute of the International Criminal Court[1] in the past year, and calls upon all States in all regions of the world that are not yet parties to the Rome Statute to consider ratifying or acceding to it without delay;

3. *Welcomes* the States parties as well as States not parties to the Rome Statute that have become parties to the Agreement on the Privileges and Immunities of the International Criminal Court,[5] and calls upon all States that have not yet done so to consider becoming parties to the Agreement;

4. *Calls upon* States parties to the Rome Statute that have not yet done so to adopt national legislation to implement obligations emanating from the Rome Statute and to cooperate with the International Criminal Court in the exercise of its functions, and recalls the provision of technical assistance by States parties in this respect;

5. *Welcomes* the cooperation and assistance provided thus far to the International Criminal Court by States parties as well as States not parties, the United Nations and other international and regional organizations, and calls upon those States that are under an obligation to cooperate to provide such cooperation and assistance in the future, in particular with regard to arrest and surrender, the provision of evidence, the protection and relocation of victims and witnesses and the enforcement of sentences;

6. *Invites* regional organizations to consider concluding cooperation agreements with the International Criminal Court;

7. *Recalls* that, by virtue of article 12, paragraph 3, of the Rome Statute, a State which is not a party to the Rome Statute may, by declaration lodged with the Registrar of the International Criminal Court, accept the exercise of jurisdiction by the Court with respect to specific crimes that are mentioned in paragraph 2 of that article;

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[3] Articles 10 and 13 of the Relationship Agreement.

[4] See A/62/314.

[5] United Nations, *Treaty Series*, vol. 2271, No. 40446.

8. *Encourages* all States parties to take the interests, needs for assistance and mandate of the International Criminal Court into account when relevant matters are being discussed in the United Nations;

9. *Emphasizes* the importance of the full implementation of the Relationship Agreement,[2] which forms a framework for close cooperation between the two organizations and for consultation on matters of mutual interest pursuant to the provisions of the Agreement and in conformity with the respective provisions of the Charter of the United Nations and the Rome Statute, as well as the need for the Secretary-General to inform the General Assembly at its sixty-third session on the expenses incurred and reimbursements received by the United Nations in connection with assistance provided to the International Criminal Court;

10. *Welcomes* the report of the Secretary-General on the work of the Organization,[6] in which the Secretary-General states that he will continue the policy of assisting and supporting the International Criminal Court in its endeavours, in all respect for the independent character of the Court;

11. *Notes* the fact that the International Criminal Court liaison office to United Nations Headquarters is now fully operational, and encourages the Secretary-General to continue to work closely with that office;

12. *Encourages* States to contribute to the Trust Fund established for the benefit of victims of crimes within the jurisdiction of the International Criminal Court and of the families of such victims, and acknowledges with appreciation contributions made to the Trust Fund thus far;

13. *Notes* the work of the Special Working Group on the Crime of Aggression, which is open to all States on an equal footing, and encourages all States to consider participating actively in the Working Group with a view to elaborating proposals for a provision on the crime of aggression, in accordance with article 123 of the Rome Statute;

14. *Takes note* of the decision of the Assembly of States Parties to the Rome Statute at its fourth session, while recalling that according to article 112, paragraph 6, of the Rome Statute, the Assembly of States Parties shall meet at the seat of the International Criminal Court or at United Nations Headquarters, to hold its sixth session in New York, looks forward to the sixth session of the Assembly of States Parties, which is to be held in New York from 30 November to 14 December 2007, as well as to the resumed sixth session, which is to be held in New York from 2 to 6 June 2008, and requests the Secretary-General to provide the necessary services and facilities in accordance with the Relationship Agreement and resolution 58/318;

15. *Encourages* the widest possible participation of States in the Assemblies of States Parties, invites States to contribute to the Trust Fund for the participation of least developed countries, and acknowledges with appreciation contributions made to the Trust Fund thus far;

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[6] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 1* (A/62/1).

16. *Invites* the International Criminal Court to submit, in accordance with article 6 of the Relationship Agreement, a report on its activities for 2007–2008, for consideration by the General Assembly at its sixty-third session.

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